

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

DIRECTV, INC.,	:	
	:	
Plaintiff,	:	Case No. 3:05CV102
	:	
vs.	:	District Judge Walter Herbert Rice
	:	Magistrate Judge Sharon L. Ovington
JAMES SCOTT,	:	
	:	
Defendant.	:	
	:	

---

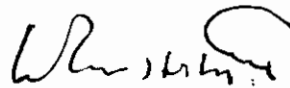
**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS FILED ON FEBRUARY 27, 2006 (Doc. #16); PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (Doc. #10) IS GRANTED, IN PART, AND SUMMARY JUDGMENT IS ENTERED IN FAVOR OF PLAINTIFF AND AGAINST DEFENDANT JAMES SCOTT ON COUNTS ONE AND TWO OF PLAINTIFF'S AMENDED COMPLAINT; DEFENDANT JAMES SCOTT IS ORDERED TO PAY PLAINTIFF'S REASONABLE ATTORNEY FEES AND COSTS IN THE AMOUNT OF \$4,214.66; PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (Doc. #10) IS DENIED, IN PART, WITHOUT PREJUDICE PENDING LIMITED DISCOVERY ANALOGOUS TO A CREDITOR'S EXAMINATION; PLAINTIFF SHALL COMPLETE THIS LIMITED DISCOVERY BY APRIL 24, 2006 AND SHALL FILE A MOTION, IF ANY, DIRECTED TO DAMAGES BY MAY 22, 2006**

---

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #16), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Report and Recommendations filed on February 27, 2006 (Doc. #16) is **ADOPTED** in full;
2. Plaintiff DIRECTV, Inc.'s Motion for Summary Judgment (Doc. #10) is **GRANTED**, in part, and Judgment is entered in favor of Plaintiff DIRECTV, Inc. and against Defendant James Scott on Counts One and Two of Plaintiff's Amended Complaint;
3. Defendant James Scott is ordered to pay DIRECTV's reasonable attorney fees and costs in the amount of \$4,214.66;
4. Plaintiff DIRECTV's Motion for Summary Judgment (Doc. #10) is **DENIED** in part as to Plaintiff's request for an award of \$80,000.00 in statutory damages. This denial is without prejudice pending limited discovery analogous to a creditor's examination;
5. Plaintiff shall complete limited discovery on the issue of damages by **April 24, 2006**;
6. Plaintiff shall file a Motion, if any, directed to damages by **May 22, 2006**; and
7. If Plaintiff files a Motion directed to damages, Defendant shall file his Memorandum in Opposition, if any, within twenty-one days after service of Plaintiff's Motion.



---

Walter Herbert Rice  
United States District Judge